

TOBACCO CONTROL BOARD MEETING MINUTES

JANUARY 8, 2004

The Tobacco Control Board met on Thursday, January 8, 2004, for its monthly meeting in the Main Street Mall building, located at 101 E. Capitol Avenue, Little Rock, Arkansas, beginning at 9:00 a.m. in Conference Room "C". There were 7 - board members present (Dr. Neal Beaton, Mr. Mark Carter, Mr. John Hauge, Dr. Cliff Johnson, Mr. Ken Milburn, Jr., Mr. Ron Rivers, and Mr. Gene McKissic, who arrived after the meeting began), and 1 - board member absent - Mr. Vince Macy.

The Chairman opened the meeting with a "Welcome" to those attending. He continued the meeting by asking for approval of the December 18, 2003, board meeting minutes. A motion was made and approved to that effect with 6 - Yes votes and 2 - Members absent.

Mr. Milburn explained that the Board had to consider and vote on whether to accept expense reimbursements for Calendar Year 2004 or not to accept them. A motion was made and approved for board members to accept expense reimbursements for calendar year 2004 with 6 - Yes votes and 2 - Members absent.

Mr. Charlie Davis, the Director, continued by presenting the "New Retail Permit Report" to the Board. He asked for a blanket approval of the "New Retail Permit Applications issued from December 18, 2003, through January 7, 2004". A motion was made and approved to accept the permit applications as listed with 6- Yes votes and 2 - Members absent.

The Director then presented a wholesale permit application as follows:

Sam's West, Inc. dba Sam's Club #6377 Jonesboro, AR

- 1 – Wholesale Cigarette Permit
- 1 – Wholesale Tobacco Permit
- 2 – Wholesale Sales Representatives

The application was complete and he recommended it for approval.

A motion was made to approve the Sam's Club wholesale permit application per the Director's recommendation with 6 – Yes votes and 2 – Members absent.

Next Mr. Davis reviewed and asked for a blanket approval of the "Notice of Hearing and Offers of Settlement accepted by the permittee from December 18, 2003, through January 7, 2004". A motion was made and approved to accept the "Notice of Hearing and Offers of Settlement accepted by the Permittee from December 18, 2003, through January 7, 2004", with 6 – Yes votes and 2- Members absent.

The Director then "Addressed the Board". He reviewed the December 2003 Complaints Reports.

He reminded the Board that the "Statement of Financial Interest Packets" are to be filed with the Secretary Of State's Office no later than January 31, 2004.

He called upon Mr. Greg Sled, Enforcement Agent Supervisor, to explain the activity of the enforcement agents.

Mr. Davis told the Board the Legislative Auditors have been auditing the agency for FY2002 and FY2003. During the "Exit Interview" there were no findings. Each board member will receive a copy of their final report.

The Director then announced the agency office would be closed on Monday, January 19, 2004, for Martin Luther King, Jr., Day.

The Chairman called on Mr. Arnie Jochums, Board Attorney, to bring the Board up to date on any court activity.

The Chairman then opened the meeting for "Board Member Discussion". The topic of "buy downs" was discussed and a motion was made and approved to ask the Attorney General for a legal opinion on buy downs with 7 – Yes votes and 1 – Member absent.

Mr. Milburn then opened the floor to "Comments from the Audience".

Announcements included the next meeting date of February 5, 2004.

All business of the Board had been conducted and the meeting was adjourned.

Minutes prepared by _____
Janis L. Campbell

January 5, 2004